

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE

|                           |   |                      |
|---------------------------|---|----------------------|
| UNITED STATES OF AMERICA, | ) |                      |
|                           | ) |                      |
| Plaintiff,                | ) |                      |
|                           | ) |                      |
| v.                        | ) | No. 3:06-CR-136      |
|                           | ) | (Phillips / Shirley) |
| JAMES O'DELL,             | ) |                      |
|                           | ) |                      |
| Defendant.                | ) |                      |

**MEMORANDUM AND ORDER**

All pretrial motions in this case have been referred to the undersigned pursuant to 28 U.S.C. § 636(b) for disposition or report and recommendation regarding disposition by the District Court as may be appropriate. This matter came before the Court on May 13, 2008, upon James O'Dell's Motion to Withdraw Pending Motions [Doc. 192]. Mr. O'Dell states that he has entered into an agreement with the United States that will resolve this case short of trial and for that reason he wishes to withdraw his pending pretrial motions as now moot. The Court finds good cause has been shown in support of this request. Accordingly, IT IS ORDERED:

1. Mr. O'Dell's Motion to Withdraw Pending Motions [Doc. 192] is **GRANTED**.

2. The Defendant's Second Motion for early Production of Jencks / Rule 26.2 Statements [Doc. 190] is **DENIED** as moot.

3. The Motion for Severance of Counts [Doc. 191] is **DENIED** as moot.

**IT IS SO ORDERED.**

ENTER:

s/ C. Clifford Shirley, Jr.  
United States Magistrate Judge